

ZB# 69-21

John & Rita Wood

(no SBL)

to be filed

6221-111
Filed
9-19-69
4:40 P.M.

6221-111

State of New York
County of Orange, ss:

**PUBLIC NOTICE OF HEARING
BEFORE THE ZONING BOARD
OF APPEALS**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Town of New Windsor, New York will hold a public hearing pursuant to Section 48-33A of the Zoning Ordinance on the following proposition:

Appeal No. 29

Request of JOHN M. WOOD and RITA D. WOOD for a Variance of the regulations of the Zoning Ordinance, to permit sale of a one family residence lacking the necessary lot area and front area width, being a Variance of Article IV, Section 48-14.A, for property owned by him situated as follows: West side of Jackson Avenue, R.D. #2, Town of New Windsor.

SAID HEARING will take place on the 18th of August, 1969, at the New Windsor School, 175 Quassaick Avenue, Town of New Windsor, beginning at 8:30 o'clock P.M.

LOUISE A. BUDNEY
Chairman

Aug. 8

Hugh V. Nocton, being duly sworn deposes and says that he is Principal Clerk of Newburgh-Beacon News Co., Inc., Publisher of The Evening News. a daily newspaper published and of general circulation in the Counties of Orange and Dutchess, and that the notice of which the annexed is a true copy was published

One Time

..... 8th day of
in said newspaper, commencing on the August A.D., 19 69 , and ending on
the 8th day of August A.D., 19 69

Subscribed and sworn to before me this
..... 8th day of August 19 69

.....
Notary Public of the State of New York, County of Orange.
MY COMMISSION EXPIRES MARCH 30, 1971



September 17, 1969

Mr. and Mrs. John R. Wood
50. Jackson Avenue
New Windsor, N. Y. 12550

Dear Mr. and Mrs. Wood:

Please be informed, that at a meeting
of the Zoning Board of Appeals held on Monday,
September 15, 1969, it was the decision of the
Board to deny your application for a variance.

Yours very truly,

Louise A. Budney,
Chairman

/pd

cc: Lawrence Jones, Bldg./Zoning Insp.
Howard Collett, Chairman
New Windsor Planning Board

ORANGE COUNTY PLANNING BOARD
COUNTY BUILDING, GOSHEN, NEW YORK

PETER GARRISON
PLANNING DIRECTOR

EDWIN J. GARLING
ASSISTANT PLANNING DIRECTOR

ROYAL BRUCE HARDE
ASSISTANT PLANNER

(914) 294-5151

August 22, 1969

Mrs. Louise A. Budney, Chairman
Town of New Windsor Zoning Board of Appeals
Veronica Avenue
New Windsor, New York

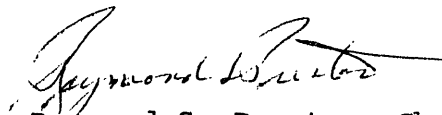
Re: Area and other Variances to permit subdivision
of land, South Jackson Avenue

Dear Mrs. Budney:

Acting under its review powers granted by Section 239-m,
Article 12-B of the General Municipal Law of the State of New York,
the Orange County Planning Board, meeting on August 21, 1969, voted,
upon motion by Mr. Dietz, seconded by Mr. Patt, and unanimously
carried, to find no objection to the above cited application
pending before your Board, or to the subsequent application for
subdivision pending before the Planning Board.

In doing so, we question the propriety of this area being
designated a Designed Shopping District, and suggest that this,
and other 'strip zoned' areas be re-evaluated in a comprehensive
way.

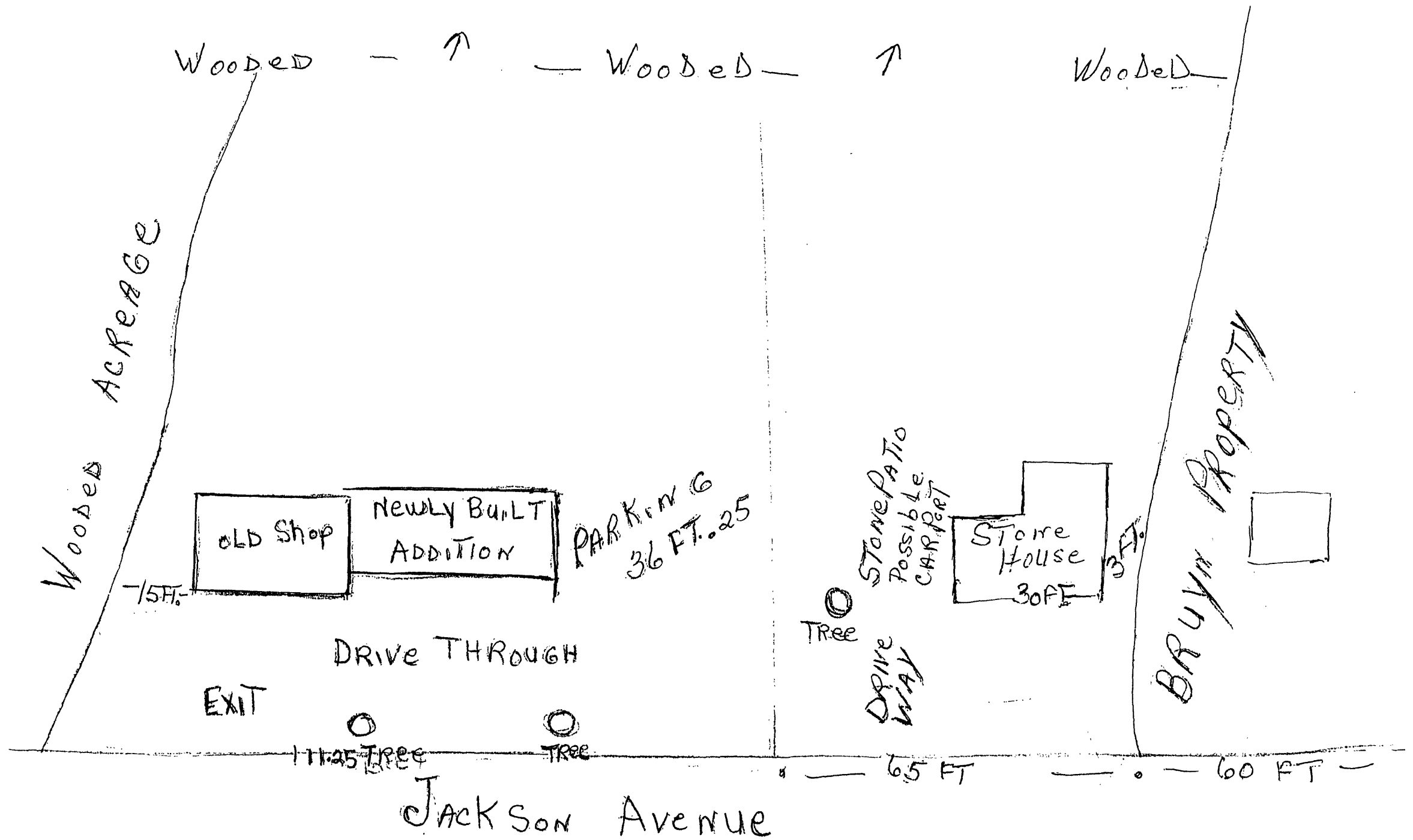
Very truly yours,



Raymond S. Preston, Chairman
Orange County Planning Board
Review Committee

RSP:f

c.c. Mr. & Mrs. John Wood
Mr. Howard Collett, Chairman, Planning Board



Pine Tree BORDERED ALL ACROSS

St. Joseph's

Adopted 12/30/68

APPLICATION FOR VARIANCE

APPLICATION NO. 69-19

DATE: Aug. 4, 1969

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR, NEW YORK

JOHN M. WOOD and

I (we) RITA D. WOOD

of Jackson Avenue, R. D. #2,

(Street & number)

Town of New Windsor, Orange County, N. Y.

HEREBY MAKE

(State)

APPLICATION FOR A VARIANCE:

- A. LOCATION OF THE PROPERTY Jackson Avenue, RD#2 D S
(Street & Number) (Use district on Zoning Map)
- B. PROVISION OF THE ZONING ORDINANCE APPLICABLE: (Indicate the article, section, sub-section and paragraph of the Zoning Ordinance applicable, by number. Do not quote the ordinance:

Article IV, §48-14. A.

- C. NOTE: NECESSARY FINDINGS: Before any Variance is granted, the Zoning Board of Appeals must find all of the following conditions to be present:

1. Conditions and circumstances are unique to the applicant's land, structure or building and do not apply to the neighboring lands, structures or buildings in the same zone because: We desire to subdivide our land, fronting 176.25 feet, containing house (stone structure over 100 years) and store building (formerly antique shop, with new addition since July, 1968). For financial reasons, it is necessary for us to sell the lot upon which the house is situate, thus subdividing our land, such lot to contain 65 feet frontage, and the remaining footage is needed for our parking requirements for the store. The only structure to the left of our land owned by George Bruyn contains only 60 feet frontage.
2. Strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same zone because: There is 3 feet from edge of stone house to Bruyn house on left, then house contains 30 feet, and this will leave 32 feet more along frontage, totaling 65 feet, which is more than ample for house and parking. Bruyn house to the left contains only 60 feet, and all other neighboring lands contain unoccupied wooded land.
3. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption of the Ordinance because: We obtained a Building Permit for a General Variety Store, Permit No. 72, dated July 16, 1968, and since then have built the addition and all necessary equipment for the store has been stored inside, ready to be placed in its proper location. To conform with the original plan submitted for the Building Permit, 111.25 feet is needed for proper parking for the store. Therefore, 65 feet frontage for the house lot is requested in this variance.

4. Relief, if approved will not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance because: Will not cause any detriment to anyone living in this area, or to the public. Outside of the Bruyn house to the left, there are wooded areas to the right, in front and in the rear.

5. Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because: Will not be a grant of special privilege.
See 4 above. Area across street, east side of Jackson Avenue, on Zoning Map is OLI Area.

D. Describe in detail how the property is to be used and submit plans or sketches in duplicate.

Property is to be used for Private Residence, containing 65 feet frontage. Remaining lands for store and parking as approved in Building Permit No. 72, July 16, 1968, to contain 111.25 feet frontage.

This is a complete financial hardship matter for us, as we have invested all our savings, plus borrowed moneys and mortgage, in to this property. At the time of purchase, there was an existing operating antique shop, and we bought the property with the intantion of having a store there. For the past year we have spent large sums of money for the addition to the shop, and for the equipment which has been installed in part and to be installed.

We have an interested prospective purchaser for the lot containing Residence, and we will suffer financial hardship if this Variance is not approved

E. Application to be accompanied by a check, payable to the Town of New Windsor in the amount of \$10.00. Application to be returned to: Secretary of the Zoning Board of Appeals.

F. NOTICE OF HEARING: Applicant agrees to send notice of any public hearing via registered mail to all abutting land owners as required by Section 9-4.1 of the Ordinance.

G. If the property in question is located within a radius of 500 ft. of an adjoining municipality, the Board should be notified.

Dated, August 4, 1969.

John M. Wood
John M. Wood
Signature of Applicant s

STATE OF NEW YORK)
COUNTY OF ORANGE)

Subscribed to this 4th day of August, 19 69

Jackson Avenue, R.D.#2,
New Windsor, N.Y. 12550.
JO 2-3310
Telephone No.

LENA J. MARGIOTTI
NOTARY PUBLIC, STATE OF NEW YORK
RESIDES IN ORANGE COUNTY, N.Y.

Lena J. Margiotti
(Notary Public)

Application No. 69-19
Date of Hearing: 8/18/69
Date of Decision: 9/15/69

Date Received 8/4/69
Notice Published 8/8/69

DECISION: Variance denied.

LEGAL NOTICES

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SAID HEARING will take place on the 18th of August, 1969, at the New Windsor School, 175 Quassack Avenue, Town of New Windsor, beginning at 8:30 o'clock P.M.

LOUISE A. BUDNEY
Chairman

Aug. 8

John M, Rita D. Wood
Jackson Ave. R. D #2
New Windsor, N.Y. 12550
August 8, 1969

Dear

We desire to subdivide our land, fronting 176.25 feet, containing house (stone structure over 100 years) and store building (formerly Antique Shop, with new addition since July 1968) For financial reasons, it is necessary to sell the lot upon which the houses is situated.

A variance of Article IV, Section 48,14A is needed because the one family residence will lack the necessary lot area and front width.

A hearing will take place on the 18th of August, 1969 at the New Windsor School, 175 Quassack Avenue, town of New Windsor, beginning at 8:30 o'clock P. M.

Respectfully,
John M, Rita D. Wood

Copy of letters
sent



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

August 7, 1969

Mrs. John Michael Wood
94 Carson Avenue JACSON Ave. R. #2
Newburgh, New York 12550

Dear Mrs. Wood:

Please be advised that the charge for the attached list of property owners which you requested, is \$15.00.

Please remit same to me, making the check payable in my name.

Respectfully,

Ellsworth E. Weyant
ELLSWORTH E. WEYANT, Chairman
Board of Assessors
Town of New Windsor

EEW/pt
Enc.



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

August 7, 1969

Mrs. John Michael Wood
~~94 Carson Avenue~~ Jackson Ave. R.D. #2
Newburgh, New York

Dear Mrs. Wood:

According to my records, the following list of property owners are within the 500 feet of the area you inquired about:

- | | |
|---|---|
| ✓ Mt. St. Joseph School*
Route 207, MD #29
New Windsor, New York | ✓ Vincent, Benjamin & Nancy
405 So. W. Fifth Avenue
Hallandale, Florida |
| ✓ DeMayo, Fred D.
DeMayo School of Classical Ballet
Little Britain Road, Route 207
New Windsor, New York | |
| Hof, Lawrence A.
✓ Jackson Ave., RD #2
New Windsor, New York | ✓ Farrinello, Joseph & Teresa
Route 207, MD #29
New Windsor, New York |
| (LITTLE BRITAIN RD.) ✓ Pfister, Paul & Caroline
Jackson Avenue, RD #2
Newburgh, New York | ✓ Dill, Fred & Marion
(deceased)
Sycamore Drive, RD #3
Newburgh, New York |
| ✓ Bruyn, George S., Jr. & Joyce
RD #2, Jackson Avenue
New Windsor, New York | |
| ✓ Crome, Herman H & Ethel L
RD #2, Little Britain Road
Newburgh, New York | ✓ MacDowell, Frederick & Ruth
(Deceased)
P. O. Box 2006
Newburgh, New York 12550 |

Respectfully submitted,

Ellsworth E. Weyant
ELLSWORTH E. WEYANT, Chairman
Board of Assessors
Town of New Windsor

EEW/pt